

**202B.040 Criteria for involuntary admission for individuals with an intellectual disability.**

When a person who is alleged to be an individual with an intellectual disability is involuntarily admitted, there shall be a determination that:

- (1) The person is an individual with an intellectual disability;
- (2) The person presents a danger or a threat of danger to self, family, or others;
- (3) The least restrictive alternative mode of treatment presently available requires placement in an ICF/ID; and
- (4) Treatment that can reasonably benefit the person is available in an ICF/ID.

**Effective:** July 12, 2012

**History:** Amended 2012 Ky. Acts ch. 146, sec. 41, effective July 12, 2012. -- Amended 1990 Ky. Acts ch. 147, sec. 7, effective July 13, 1990. -- Amended 1986 Ky. Acts ch. 79, sec. 2, effective March 6, 1986. -- Amended 1982 Ky. Acts ch. 445, sec. 37, effective July 1, 1982. -- Created 1976 Ky. Acts ch. 328, sec. 5.

**Legislative Research Commission Note.** This section was amended in 1982 Acts, Chapter 445, which contains the following language in Section 45 of that Act: "This Act shall become effective on July 1, 1982." The Ky. Constitution, in Section 55, requires that a reason be set forth for the emergency. However, no reason is set forth in this Act. The effective date for 1982 Acts with no emergency provision is July 15, 1982.